

Shirk, Georgette L

From: Schwartz, Claudia R
Sent: Wednesday, February 01, 2017 12:07 PM
To: Prelogar, Brandon B; Anderson, Kathryn E
Subject: RE: Executive Order

Sorry, back at my desk. Please give a call!

Claudia Schwartz, Associate Counsel
Office of the Chief Counsel, Refugee and Asylum Law Division
U.S. Citizenship and Immigration Services
Department of Homeland Security

 (b)(6)

From: Prelogar, Brandon B
Sent: Wednesday, February 01, 2017 12:13 PM
To: Schwartz, Claudia R; Anderson, Kathryn E
Subject: RE: Executive Order

Claudia,

Kathryn and I just rang. Just curious whether there's been any further movement or discussion of USCIS developing an interpretation of what "entry" means, as used in the EO and in the context of INA 212(f), for the purposes of deciding what USCIS adjudications can go forward. We've continued to hear piecemeal of which adjudications are being suspended and which are not. (It's haphazard at best – including SCOPS holding not only TPS cases for the 4 TPS countries covered by Section 3(c) of the EO that have TPS (Sudan, Somalia, Yemen, and Syria), but also South Sudan.) Is the posture still just wait and see what comes down from on high w/o giving any independent thought ourselves to what we think falls within the ambit of the EO? We're checking on this again now as we're prepping Larry to potentially raise this as a question for leadership's consideration.

Thanks,

b-

From: Schwartz, Claudia R
Sent: Monday, January 30, 2017 8:26 AM
To: Prelogar, Brandon B; Anderson, Kathryn E
Subject: RE: Executive Order

Can we meet at 10am? Diana and I can come to your office. I'd like to chat with folks in OCC first (if possible). Let me know if that works.

From: Prelogar, Brandon B
Sent: Sunday, January 29, 2017 9:34:04 PM
To: Anderson, Kathryn E; Schwartz, Claudia R
Subject: RE: Executive Order

Works for me.

From: Anderson, Kathryn E
Sent: Sunday, January 29, 2017 3:48:37 PM
To: Schwartz, Claudia R
Cc: Prelogar, Brandon B
Subject: RE: Executive Order

Yep. Great. Thanks. I'll give you a call then.

From: Schwartz, Claudia R
Sent: Sunday, January 29, 2017 3:38:56 PM
To: Anderson, Kathryn E
Cc: Prelogar, Brandon B
Subject: RE: Executive Order

Thanks Kathryn - let's talk by phone at 9:30 tomorrow? I will share this in my office as well re:entry. Thank you!

From: Anderson, Kathryn E
Sent: Sunday, January 29, 2017 6:33:13 PM
To: Schwartz, Claudia R
Cc: Prelogar, Brandon B
Subject: FW: Executive Order

Hi, Claudia,

Wanted to flag for you FOD's question in the chain below and in the attached matrix regarding **whether to adjudicate** TRIG hold cases in light of the EO's directive to "consider rescinding" the TRIG exemptions, as FOD (reasonably) suggests that new exemptions are unlikely. Not sure exactly how all these issues will shake out or be discussed next week, but just wanted to share that it may be part of the discussion. My thoughts [here](#). Brandon also made a good point that we need to make sure people understand that nothing in the EO prevents continuing to apply the existing exemptions.

Also, wondering whether once it's decided if we can grant natz cases at all, we should make another push with Lori to apply the exemptions to those cases while we still have them – as discussed in the WG meeting, as an application of a legal interpretation, not a policy change.

Finally, was curious whether you knew if OCC has arrived at an interpretation of what "entry" means, as used in the EO and in the context of INA 212(f), for the purposes of deciding what USCIS adjudications can go forward? We've heard most FOD, SCOPS, and RAIO adjudications from the 7 countries are currently on hold pending further guidance. Wondered whether this is precautionary at this point or if it's based on OCC's legal interpretation of the order. More [here](#).

K

From: Anderson, Kathryn E
Sent: Sunday, January 29, 2017 7:51 AM
To: Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

(b)(5)

I'll look more closely at the chart, but upon first glance and after reading the chain below, I wanted to raise a couple things:



(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).

2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.

Kathryn

Kathryn Anderson

Acting Chief, International and Humanitarian Affairs Division
Office of Policy and Strategy, U.S. Citizenship and Immigration Services
Department of Homeland Security



(b)(6)

From: Renaud, Daniel M
Sent: Saturday, January 28, 2017 12:34:16 PM
To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D; Groom, Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find it useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud
Associate Director | Field Operations Directorate
U.S. Citizenship and Immigration Services
Department of Homeland Security

From: Slattery, Shannon E
Sent: Saturday, January 28, 2017 12:16:07 PM
To: Valverde, Michael; Renaud, Daniel M
Cc: Farnam, Julie E; Kvortek, Lisette E
Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannon E. Slattery
Field Operations Directorate | U.S. Citizenship and Immigration Services

(b)(6)

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From: Valverde, Michael
Sent: Saturday, January 28, 2017 11:42 AM
To: Renaud, Daniel M; Kvortek, Lisette E
Cc: Farnam, Julie E; Slattery, Shannon E
Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde
DHS USCIS
Field Operations Directorate, Deputy Associate Director

(b)(6)

From: Renaud, Daniel M
Sent: Saturday, January 28, 2017 11:34:15 AM
To: Kvortek, Lisette E
Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E
Subject: FW: Executive Order

To start and just on this part of the EO:

1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
2. Should we deschedule oath ceremonies for individuals from the 7?
3. How do we handle N-400s 120+ days from interview?
4. Should we stop RFEs?
5. Should we stop scheduling interviews?

Daniel M. Renaud
Associate Director | Field Operations Directorate
U.S. Citizenship and Immigration Services
Department of Homeland Security

From: Renaud, Tracy L
Sent: Saturday, January 28, 2017 11:21:12 AM
To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J; Emrich, Matthew D
Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S
Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

(b)(6)

From: Ruppel, Joanna
Sent: Saturday, January 28, 2017 9:54 AM
To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J; Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R
Subject: RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel
Chief, International Operations Division
U.S. Citizenship and Immigration Services

(b)(6)

From: Neufeld, Donald W
Sent: Friday, January 27, 2017 5:34:17 PM
To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J; Emrich, Matthew D
Cc: Renaud, Tracy L; McCament, James W
Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L
Sent: Friday, January 27, 2017 8:04:01 PM
To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J; Emrich, Matthew D
Cc: Renaud, Tracy L; McCament, James W
Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W
Sent: Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer
Cc: Renaud, Tracy L; McCament, James W
Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W
Sent: Friday, January 27, 2017 7:56:01 PM
To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer
Cc: Renaud, Tracy L; McCament, James W
Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L
Sent: Friday, January 27, 2017 7:31:26 PM
To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer
Cc: Renaud, Tracy L
Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W
Sent: Friday, January 27, 2017 7:26 PM
To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer
Cc: Renaud, Tracy L
Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L
Sent: Friday, January 27, 2017 5:59:36 PM
To: Renaud, Daniel M; Higgins, Jennifer
Cc: Renaud, Tracy L; Neufeld, Donald W
Subject: RE: Executive Order

I think that's o.k. and going forward don't schedule these for interviews.

From: Renaud, Daniel M
Sent: Friday, January 27, 2017 5:47 PM
To: Scialabba, Lori L; Higgins, Jennifer

Cc: Renaud, Tracy L; Neufeld, Donald W
Subject: RE: Executive Order

If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.

Daniel M. Renaud
Associate Director, Field Operations Directorate
Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Scialabba, Lori L
Sent: Friday, January 27, 2017 12:43 PM
To: Higgins, Jennifer
Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M
Subject: FW: Executive Order

(b)(5)

FYI. I think Andrew might be right in terms of what is meant by [REDACTED]

[REDACTED]

From: Davidson, Andrew J
Sent: Friday, January 27, 2017 12:37 PM
To: Renaud, Tracy L
Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L
Subject: Executive Order

Tracy,

It is my understanding that POTUS will sign the "Protecting the Nation from Terrorist Attacks by Foreign Nationals" order today at 4:30pm. In complying with the EA I believe we need immediate clarification in Section 3 (c) relative to the 30 day suspension of processing immigrants and non-immigrants from the designated countries of interest and if this extends to processing of permanent resident applications. Though the EA states "immigrant and non-immigrant entry into the United States", once we grant an adjustment we "admit" that person. [REDACTED] (b)(5)

[REDACTED] We just need to clarify if by extension this applies to our product lines. If this is the case then Don and Dan will need to get guidance to the Field to put these adjudications on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent clarification we need relative to the EAs.

Thanks,

Andrew Davidson
Acting Deputy Associate Director
Fraud Detection and National Security Directorate
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
111 Massachusetts Avenue, NW
Washington, DC 20529

[REDACTED] (b)(6)

Shirk, Georgette L

From: Schwartz, Claudia R
Sent: Monday, February 06, 2017 5:15 PM
To: Sohrakoff, Karen A; Ruppel, Joanna
Cc: Prelogar, Brandon B
Subject: RE: TRIG Cases

Thanks for looping me in as well Karen. OCC would like to contribute a bullet or two on litigation considerations.

From: Sohrakoff, Karen A
Sent: Monday, February 06, 2017 11:10:16 PM
To: Ruppel, Joanna; Farnam, Julie E; Neufeld, Donald W; McCament, James W; Campagnolo, Donna P; Renaud, Daniel M; Valverde, Michael; Kvortek, Lisette E; Emrich, Matthew D; Davidson, Andrew J
Cc: Renaud, Tracy L; Young, Todd P; Walters, Jessica S; Palmer, Ann M; Prelogar, Brandon B; Levine, Laurence D
Subject: RE: TRIG Cases

Yes, we'll make it happen.

Thanks,
Karen

From: Ruppel, Joanna
Sent: Monday, February 06, 2017 4:21:55 PM
To: Farnam, Julie E; Neufeld, Donald W; McCament, James W; Campagnolo, Donna P; Renaud, Daniel M; Valverde, Michael; Kvortek, Lisette E; Emrich, Matthew D; Davidson, Andrew J; Sohrakoff, Karen A
Cc: Renaud, Tracy L; Young, Todd P; Walters, Jessica S; Palmer, Ann M; Prelogar, Brandon B; Levine, Laurence D
Subject: RE: TRIG Cases

Since I believe that RAIO was tasked with the lead on this for USCIS, I would like to suggest that Karen Sohrakoff, copied here, take the lead on this. She already did a data call and has put together some numbers. Also, I know that the USCIS Office of Policy and she have been working on identifying some preliminary issues.

Joanna

Joanna Ruppel
Acting Associate Director
USCIS Refugee, Asylum and International Operations Directorate

 (b)(6)

From: Farnam, Julie E
Sent: Monday, February 06, 2017 4:19 PM
To: Neufeld, Donald W; McCament, James W; Campagnolo, Donna P; Renaud, Daniel M; Valverde, Michael; Kvortek, Lisette E; Ruppel, Joanna; Emrich, Matthew D; Davidson, Andrew J
Cc: Renaud, Tracy L; Young, Todd P; Walters, Jessica S
Subject: TRIG Cases

Good afternoon,


Could your office put together a briefing paper for AD1 that looks at the following issues:

1. TRIG cases that are currently on hold and for which there is no exemption right now.
 - a. Number of cases
 - b. Cases broken down by country
 - c. Considerations as to whether we should deny these cases
2. A summary of pending TRIG exemption requests and the status of those requests.
3. List of current exemptions.

This paper is to help inform the decision as to whether we should we deny or continue to hold TRIG cases based on the recent Executive Order. Section 6 of the "Protecting the Nation from Foreign Terrorist Entry into the United States" Executive Order states:

"Rescission of Exercise of Authority Relating to the Terrorism Grounds of Inadmissibility. The Secretaries of State and Homeland Security shall, in consultation with the Attorney General, consider rescinding the exercises of authority in section 212 of the INA, 8 U.S.C. 1182, relating to the terrorism grounds of inadmissibility, as well as any related implementing memorandum."

Please provide me with a draft no later than COB Friday, February 10th.

Thank you,
Julie Farnam
Senior Advisor
Field Operations Directorate
U.S. Citizenship and Immigration Services


(b)(6)

Shirk, Georgette L

From: Groom, Molly M
Sent: Wednesday, February 01, 2017 6:35 AM
To: Zengotitabengoa, Colleen R; Whitney, Ronald W
Subject: FW: EO

(b)(5)

Any good arguments regarding why section 3 doesn't cover refugees? [REDACTED]

[REDACTED] Anyway can this be a top priority today?

From: Benedict, Deborah L
Sent: Tuesday, January 31, 2017 7:31:12 PM
To: Groom, Molly M
Subject: RE: EO

Having other departments weigh in might help (and the below is just based on my reading, maybe State has something stronger!).

From: Groom, Molly M
Sent: Tuesday, January 31, 2017 7:29 PM
To: Benedict, Deborah L
Subject: RE: EO

They dismissed any argument Friday night. But maybe they will reconsider.

From: Benedict, Deborah L
Sent: Tuesday, January 31, 2017 7:21:20 PM
To: Groom, Molly M
Subject: RE: EO

(b)(5)

Nope unfortunately not [REDACTED]

From: Groom, Molly M
Sent: Tuesday, January 31, 2017 7:11 PM
To: Benedict, Deborah L
Subject: RE: EO

She told me who the lawyer was but didn't provide her reasoning—do you have that?

From: Benedict, Deborah L
Sent: Tuesday, January 31, 2017 7:08 PM
To: Groom, Molly M
Subject: EO

Assuming Barbara reached you regarding the State lawyer's interpretation of the EO Section 3?

Shirk, Georgette L

From: Ho, Cheri L
Sent: Thursday, February 02, 2017 6:53 PM
To: ZSF STAFF - CIS
Subject: FW: EO Guidance - business as usual
Attachments: EO 1-27 implementation guidance signed and dated.pdf

All,
We can now proceed with adjudicating all pending cases. Cheri

Cheri Ho
Deputy Director
San Francisco Asylum Office
U.S. Citizenship & Immigration Services, DHS

(b)(6)

From: Kim, Ted H
Sent: Thursday, February 02, 2017 2:40 PM
To: Aguilar, Kimberly M; Bardini, Emilia M; Boyle, Meghann W; Bundy, Kelsey D; Daum, Robert L; Flanagan, Lisa M; Gadson, Irvin C; Ho, Cheri L; Hong, Marianne X; Hussey, Jedidah M; Kline, Jennifer M; Madsen, Kenneth S; Menges, Patricia A; Papazian, Varsenik L; Radel, David M; Raufer, Susan; Rellis, Jennifer L; Varghese, Mathew C; Varghese, Sunil R
Cc: Caudill-Mirillo, Ashley B; Kirkland, Brooke A; Lafferty, John L; Mura, Elizabeth E; Pilotti, David A; Potts-Hansen, Stephanie N; Roberts, Rhonda J; Schaper, Michael C; Tanner, Rebecca S
Subject: FW: EO Guidance

Attached is the written formal USCIS guidance that we have been waiting for that allows us to resume adjudicating affirmative asylum cases as normal.

I also checked with CSPED, and if you are asked by members of the public if we are operating "business as usual," we can respond affirmatively. If the inquiries are more complicated than that or relate to other aspects of the Executive Orders, please continue to forward those to me for response by HQ CSPED.

Thanks,
Ted

existing policies and procedures. Further guidance will be issued with respect to beneficiaries currently outside of the United States.

4. USCIS will continue refugee interviews when the person is a religious minority in his or her country of nationality facing religious persecution. Additionally, USCIS will continue refugee interviews in jurisdictions where there is a preexisting international agreement related to refugee processing. USCIS will not approve a refugee application for an individual who we determine would pose a risk to the security or welfare of the United States.
5. USCIS will continue adjudicating all affirmative asylum cases according to existing policies and procedures.

Questions concerning the information contained in this memorandum may be addressed via your directorate or program office through appropriate supervisory channels.

Shirk, Georgette L

From: Carpenter, Dea D on behalf of OCC-Clearance
Sent: Friday, February 03, 2017 8:17 AM
To: RALD; USCIS OCC NSCD
Cc: Zengotitabengoa, Colleen R; Whitney, Ronald W; Hammill, Hunter A; Owens, Jessica D; Franke, Evan R; Zill, Katherine F; Groom, Molly M; Busch, Philip B
Subject: FW: EO Tasking on Information for Adjudications - Edits requested by 11:00 a.m.!
Attachments: TEMPLATE_E.O Section 3 Data Call USCIS.docx

RALD - Please take the lead on review and response of this item for OCC, and cc the Box on your reply to the client. Thank you!

From: Farnam, Julie E
Sent: Thursday, February 02, 2017 5:51 PM
To: Busch, Philip B; Hinds, Ian G; Zengotitabengoa, Colleen R
Cc: Groom, Molly M; OCC-Clearance
Subject: RE: EO Tasking on Information for Adjudications

Sorry, please use this version. Added two points to data point 2.

From: Farnam, Julie E
Sent: Thursday, February 02, 2017 5:41 PM
To: Busch, Philip B; Hinds, Ian G; Zengotitabengoa, Colleen R
Cc: Groom, Molly M; OCC-Clearance
Subject: EO Tasking on Information for Adjudications

Attached is a summary of information we'd want from other countries to assist in our adjudications process as requested in the "Terrorist Entry" EO, Section 3a. For this tasking we just need a list that DHS PLCY/SCO can incorporate into the larger report they are drafting for this deliverable. This is due to the department tomorrow, so if I could have your edits by 11:00 tomorrow morning, that would be greatly appreciated. It's a fairly succinct document, so hopefully it shouldn't take long to review. Much thanks!

Julie Farnam
Senior Advisor
Field Operations Directorate
U.S. Citizenship and Immigration Services

 (b)(6)

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COMPONENT DATA CALL

General Instructions for Section 3 of Executive Order

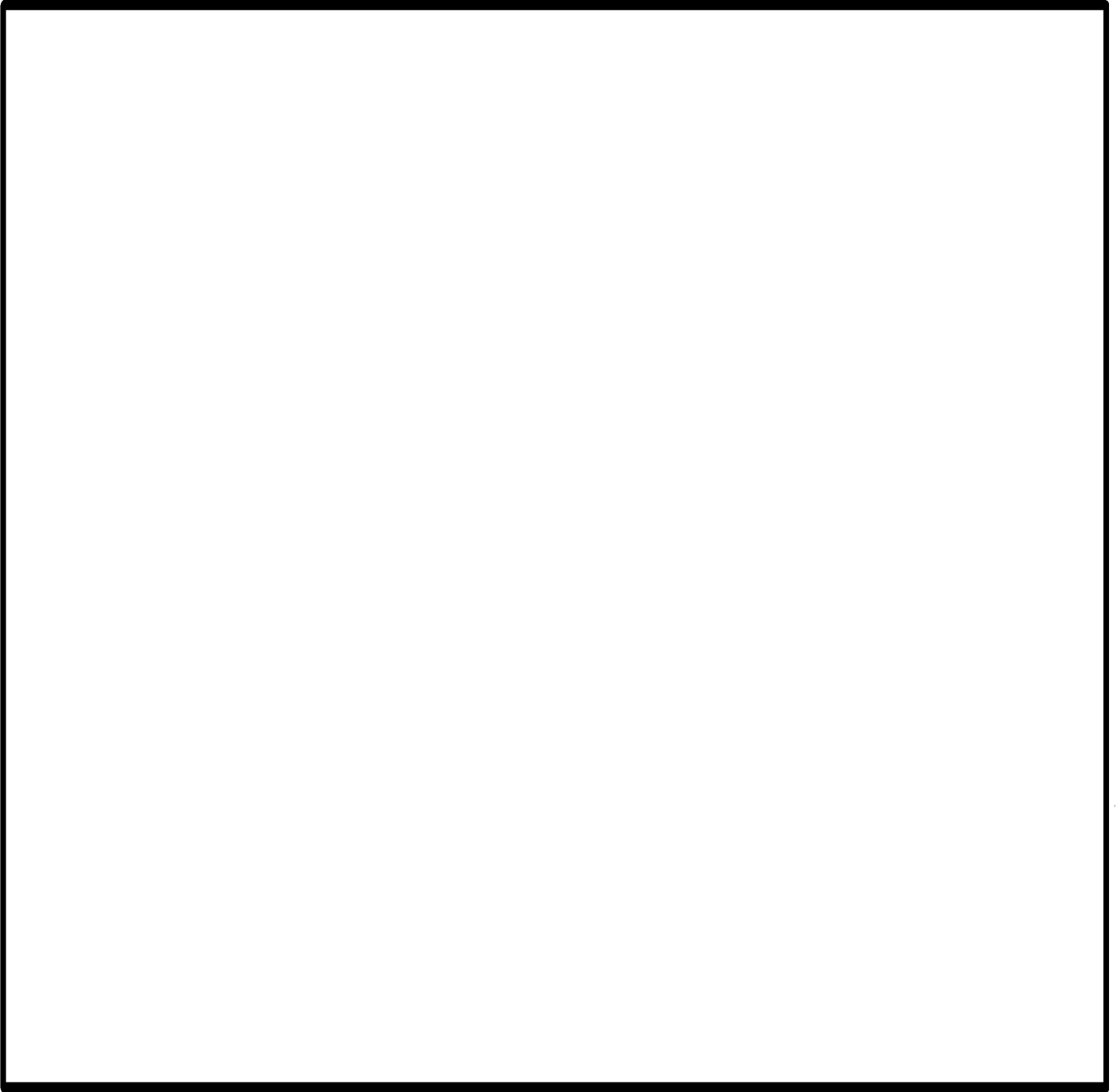
(b)(7)(e)

"Protecting the Nation from Foreign Terrorist Entry into the United States"

Data Objective 1: Confirm Individual's Identity



--

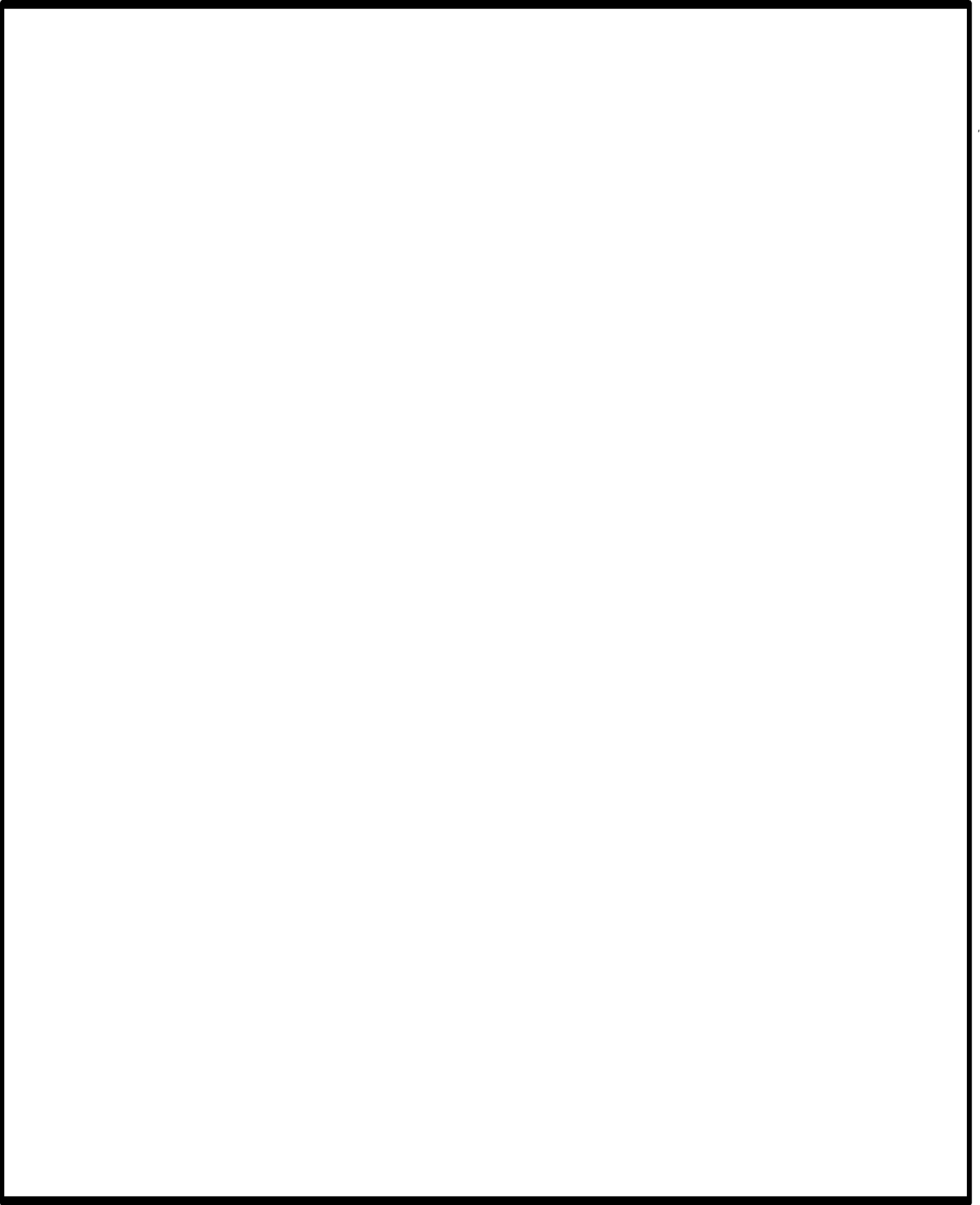


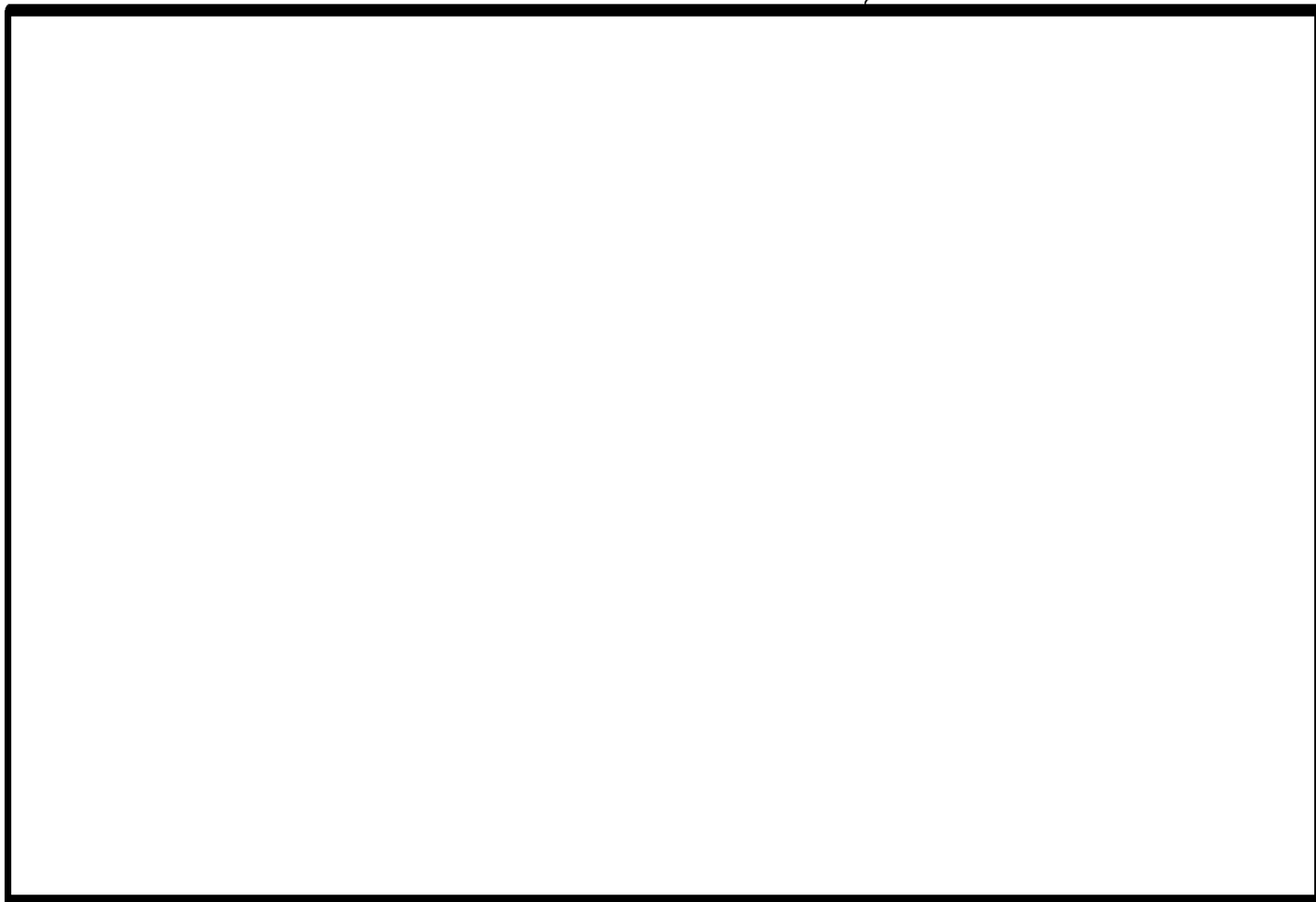
Data Objective 2: Determine Security (Counterterrorism) Risk

(b)(7)(e)



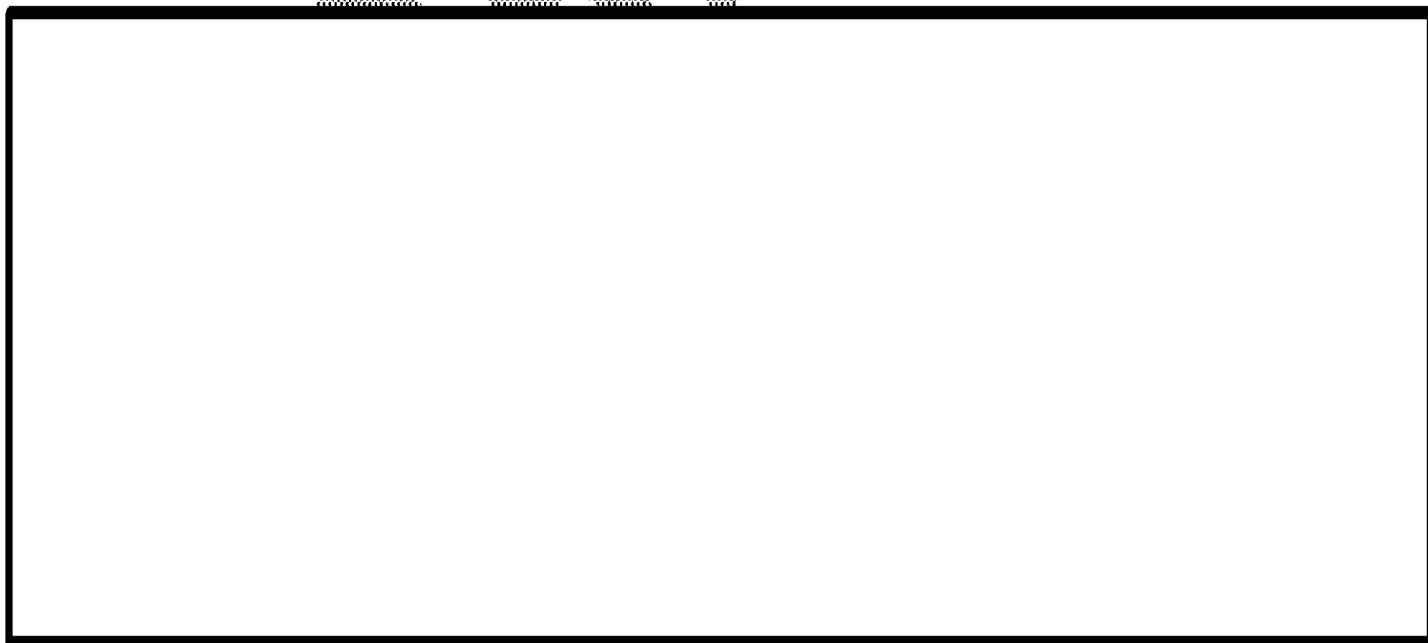
(b)(7)(e)





Data Objective 3: Determine Public Safety (Law Enforcement and Illegal Immigration) Risk

(b)(7)(e)



(b)(7)(e)



Submitted by: Lori Scialabba

Component: USCIS

POC (Name, email, telephone): Julie Farnam;



(b)(6)

Cleared By:

DRAFT

Shirk, Georgette L

From: Zengotitabengoa, Colleen R
Sent: Wednesday, February 01, 2017 8:12 AM
To: Groom, Molly M; Whitney, Ronald W
Subject: RE: EO

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Sent: Wednesday, February 01, 2017 7:34:36 AM
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Subject: RE: EO

(b)(5)

From: Groom, Molly M
Sent: Tuesday, January 31, 2017 7:11 PM

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Subject: RE: EO

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From: Benedict, Deborah L

Sent: Tuesday, January 31, 2017 7:08 PM

To: Groom, Molly M

Subject: EO

Assuming Barbara reached you regarding the State lawyer's interpretation of the EO Section 3?

Shirk, Georgette L

From: Groom, Molly M
Sent: Wednesday, February 01, 2017 11:11 AM
To: Whitney, Ronald W; Zengotitabengoa, Colleen R
Subject: RE: EO

You were on the reply—did you get it?

From: Whitney, Ronald W
Sent: Wednesday, February 01, 2017 12:09 PM
To: Groom, Molly M; Zengotitabengoa, Colleen R
Subject: RE: EO

Did you ever hear back from Meg?

From: Groom, Molly M
Sent: Wednesday, February 01, 2017 4:35 AM
To: Zengotitabengoa, Colleen R; Whitney, Ronald W
Subject: FW: EO

(b)(5)

Any good arguments regarding why section 3 doesn't cover refugees?

Anyway can this be a top priority today?

From: Benedict, Deborah L
Sent: Tuesday, January 31, 2017 7:31:12 PM
To: Groom, Molly M
Subject: RE: EO

Having other departments weigh in might help (and the below is just based on my reading, maybe State has something stronger!).

From: Groom, Molly M
Sent: Tuesday, January 31, 2017 7:29 PM
To: Benedict, Deborah L
Subject: RE: EO

They dismissed any argument Friday night. But maybe they will reconsider.

From: Benedict, Deborah L
Sent: Tuesday, January 31, 2017 7:21:20 PM
To: Groom, Molly M
Subject: RE: EO

(b)(5)

(b)(5)

From: Groom, Molly M
Sent: Tuesday, January 31, 2017 7:11 PM
To: Benedict, Deborah L
Subject: RE: EO

She told me who the lawyer was but didn't provide her reasoning—do you have that?

From: Benedict, Deborah L
Sent: Tuesday, January 31, 2017 7:08 PM
To: Groom, Molly M
Subject: EO

Assuming Barbara reached you regarding the State lawyer's interpretation of the EO Section 3?

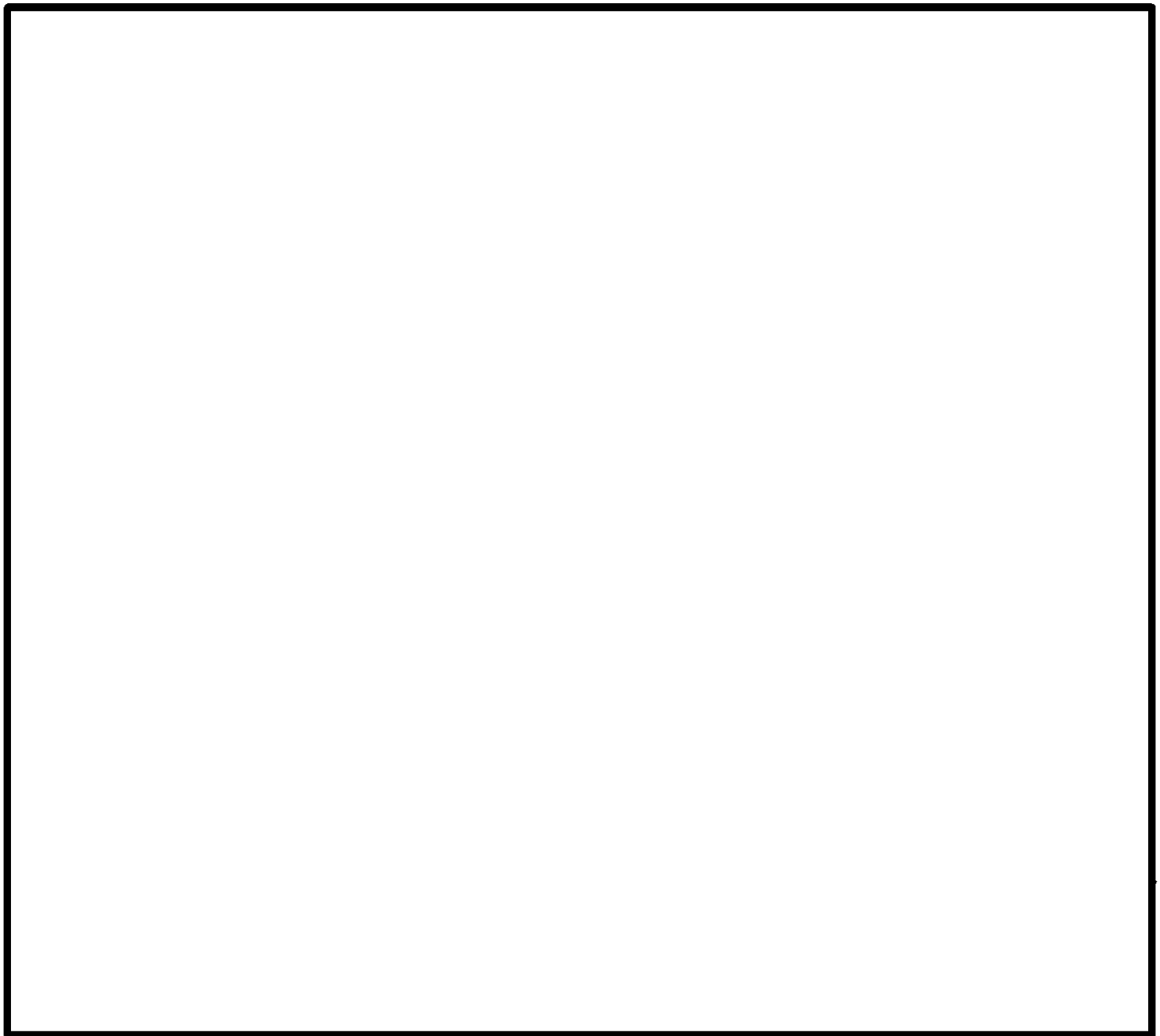
Shirk, Georgette L

From: Groom, Molly M
Sent: Sunday, February 05, 2017 6:52 PM
To: Whitney, Ronald W; Busch, Philip B; Zengotitabengoa, Colleen R; Lonegan, Bryan K
Subject: RE: Follow up thoughts on litigation

It hasn't been decided what prioritizing means.

From: Whitney, Ronald W
Sent: Sunday, February 05, 2017 7:33:56 PM
To: Busch, Philip B; Groom, Molly M; Zengotitabengoa, Colleen R; Lonegan, Bryan K
Subject: RE: Follow up thoughts on litigation

(b)(5)



Go Falcons.

--Ron

From: Busch, Philip B
Sent: Sunday, February 05, 2017 11:02 AM
To: Groom, Molly M; Zengotitabengoa, Colleen R; Loneyan, Bryan K; Whitney, Ronald W
Subject: RE: Follow up thoughts on litigation



(b)(5)

From: Groom, Molly M
Sent: Sunday, February 05, 2017 1:30:44 PM
To: Busch, Philip B; Zengotitabengoa, Colleen R; Loneyan, Bryan K; Whitney, Ronald W
Subject: RE: Follow up thoughts on litigation

(b)(5)

It may be and we will figure that out.

From: Busch, Philip B

Sent: Sunday, February 05, 2017 12:37:04 PM

To: Zengotitabengoa, Colleen R; Groom, Molly M; Lonigan, Bryan K; Whitney, Ronald W

Subject: RE: Follow up thoughts on litigation

(b)(5)

I was thinking about this question while churning up and down the Yorktown pool this morning.

[REDACTED] (b)(5)

Phil

From: Zengotitabengoa, Colleen R
Sent: Sunday, February 05, 2017 11:35:19 AM
To: Groom, Molly M; Loneyan, Bryan K; Busch, Philip B; Whitney, Ronald W
Subject: RE: Follow up thoughts on litigation

Will do.

From: Groom, Molly M
Sent: Sunday, February 05, 2017 11:01:22 AM
To: Loneyan, Bryan K; Zengotitabengoa, Colleen R; Busch, Philip B; Whitney, Ronald W
Subject: RE: Follow up thoughts on litigation

Colleen I think you should reach out to Meg and see what she has in mind.

From: Loneyan, Bryan K
Sent: Sunday, February 05, 2017 10:40:53 AM
To: Zengotitabengoa, Colleen R; Groom, Molly M; Busch, Philip B; Whitney, Ronald W
Subject: RE: Follow up thoughts on litigation (b)(5)

From: Loneyan, Bryan K
Sent: Sunday, February 05, 2017 10:31:11 AM
To: Zengotitabengoa, Colleen R; Groom, Molly M; Busch, Philip B; Whitney, Ronald W
Subject: RE: Follow up thoughts on litigation

Yes, discussions with DOJ folks would be mutually beneficial: [REDACTED]

[REDACTED] (b)(5)

From: Zengotitabengoa, Colleen R
Sent: Sunday, February 05, 2017 10:16:51 AM
To: Groom, Molly M; Loneyan, Bryan K; Busch, Philip B; Whitney, Ronald W
Subject: RE: Follow up thoughts on litigation

Does Meg want us to join discussion with DOJ establishment clause expert? Would be good if we can.

From: Groom, Molly M
Sent: Sunday, February 05, 2017 8:52:15 AM

To: Zengotitabengoa, Colleen R; Lonegan, Bryan K; Busch, Philip B; Whitney, Ronald W

Subject: FW: Follow up thoughts on litigation

Colleen/Bryan/Ron-

(b)(5)

Can you all dig deeper on this issue and continue the discussions with DOS. Meg P. wants to have discussion with DOJ establishment expert at that seems like good idea. [REDACTED]

[REDACTED] Let's figure it out.

From: Strack, Barbara L

Sent: Sunday, February 05, 2017 8:44:37 AM

To: Groom, Molly M; Ruppel, Joanna; Stone, Mary M; Busch, Philip B

Subject: Follow up thoughts on litigation

All -

I wanted to follow up w/you on some issues related to yesterday's litigation call, with the understanding that this communication is protected by attorney/client privilege. In particular, I want to focus on the "religious minority" language. (b)(5)

[REDACTED]

Wanted to share this thinking and bring Joanna and MM into the loop before I leave for vacation later today,
Barbara

Shirk, Georgette L

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(b)(5)

[REDACTED]

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(b)(5)

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[REDACTED]

(b)(5)

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Colleen/Bryan/Ron-

Can you all dig deeper on this issue and continue the discussions with DOS. Meg P. wants to have discussion with DOJ establishment expert at that seems like good idea. [REDACTED] (b)(5)

[REDACTED]
[REDACTED] Let's figure it out.

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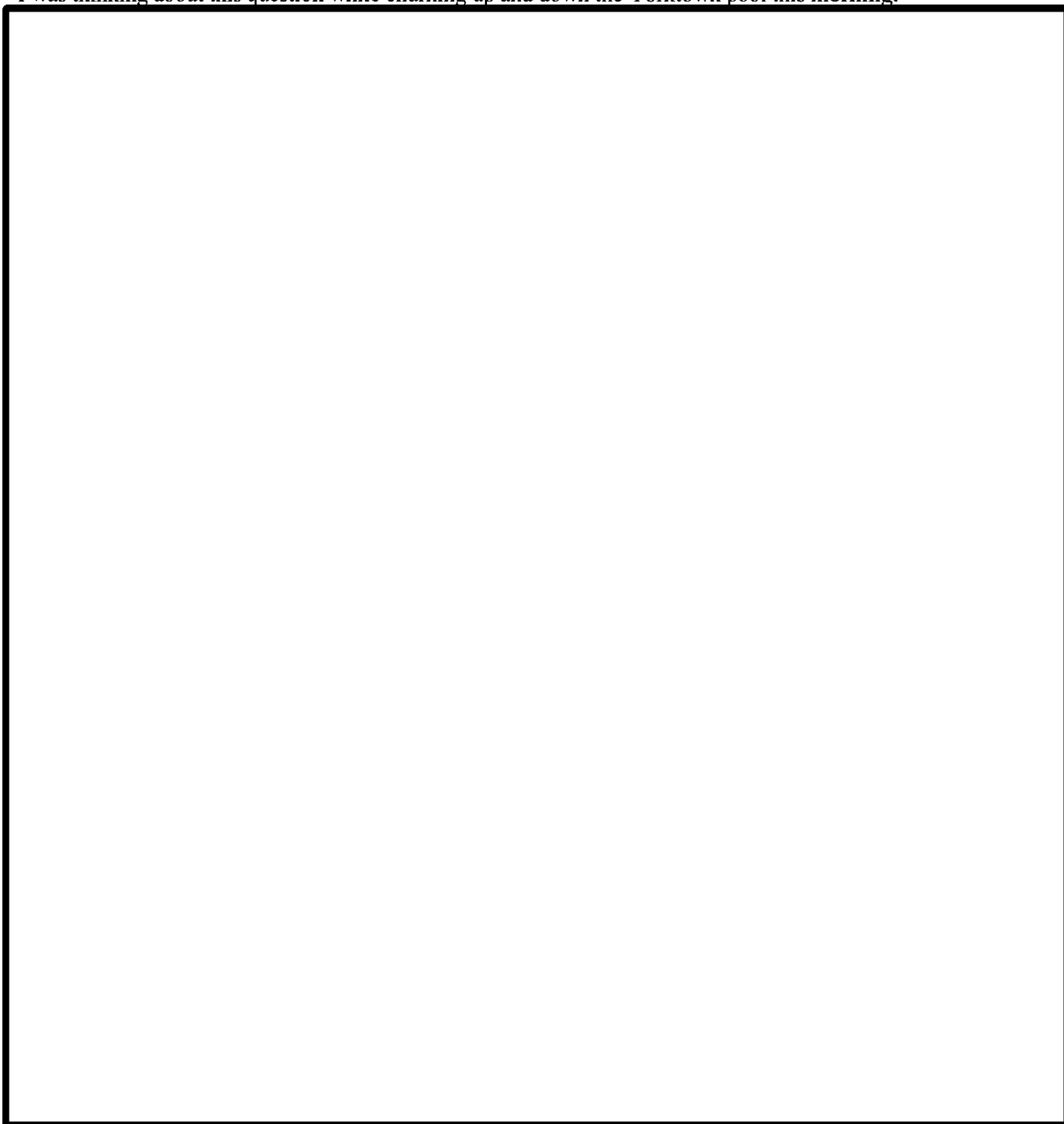
(b)(5)

Shirk, Georgette L

From: Busch, Philip B
Sent: Sunday, February 05, 2017 11:37 AM
To: Zengotitabengoa, Colleen R; Groom, Molly M; Loney, Bryan K; Whitney, Ronald W
Subject: RE: Follow up thoughts on litigation

(b)(5)

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[REDACTED]

Wanted to share this thinking and bring Joanna and MM into the loop before I leave for vacation later today, Barbara

Shirk, Georgette L

From: Lonegan, Bryan K
Sent: Wednesday, February 08, 2017 7:58 AM
To: Whitney, Ronald W; Busch, Philip B; Groom, Molly M; Zengotitabengoa, Colleen R
Subject: RE: Follow up thoughts on litigation

(b)(5)

Just wanted to share this.

From: Whitney, Ronald W
Sent: Sunday, February 05, 2017 9:57 PM
To: Lonegan, Bryan K; Busch, Philip B; Groom, Molly M; Zengotitabengoa, Colleen R
Subject: RE: Follow up thoughts on litigation

(b)(5)

--Ron

From: Loneyan, Bryan K

Sent: Sunday, February 05, 2017 5:05 PM

To: Whitney, Ronald W; Busch, Philip B; Groom, Molly M; Zengotitabengoa, Colleen R

Subject: RE: Follow up thoughts on litigation

(b)(5)

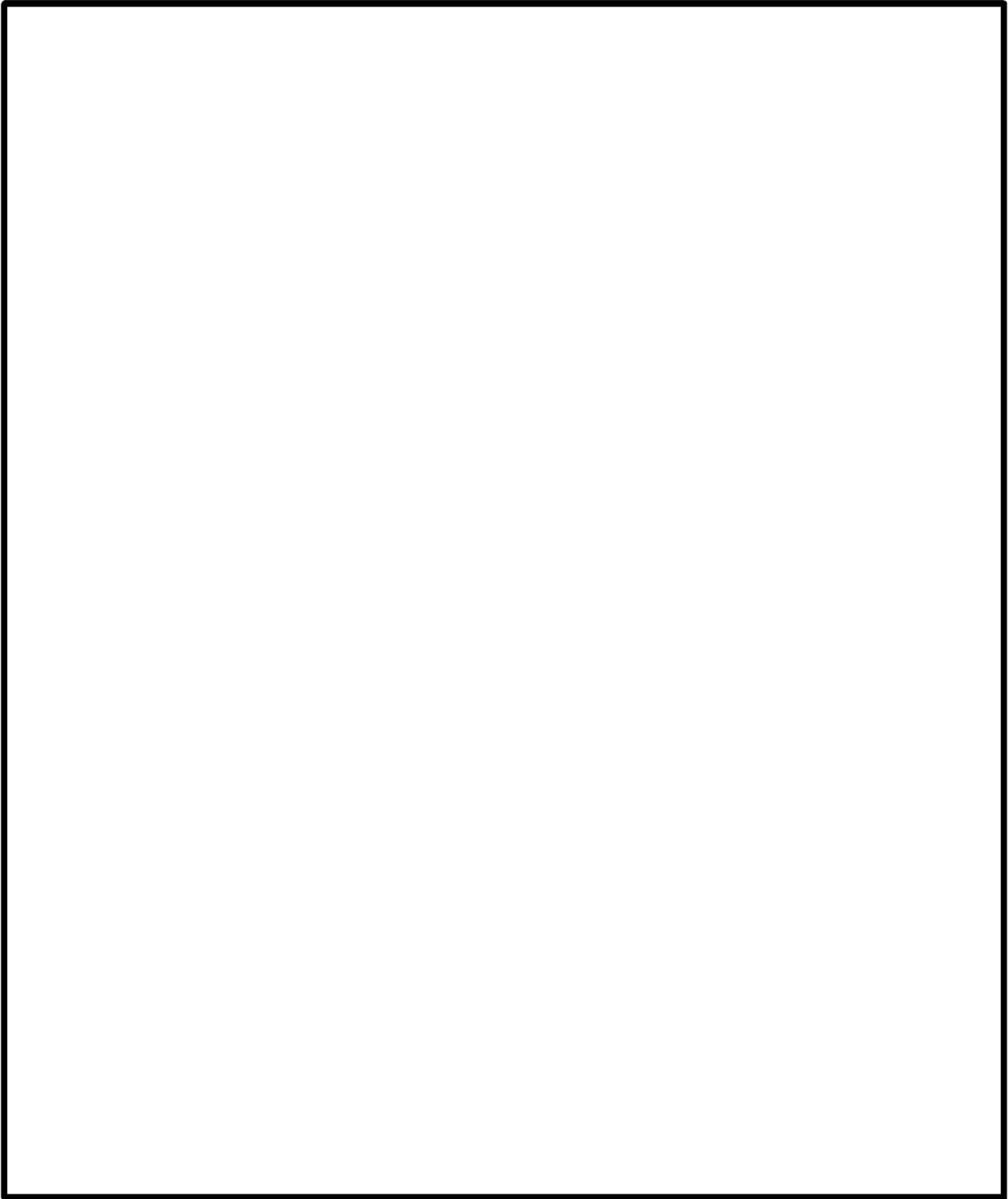
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Subject: RE: Follow up thoughts on litigation

(b)(5)



Go Falcons.

--Ron

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To: Groom, Molly M; Zengotitabengoa, Colleen R; Loneyan, Bryan K; Whitney, Ronald W
Subject: RE: Follow up thoughts on litigation

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Subject: RE: Follow up thoughts on litigation

I was thinking about this question while churning up and down the Yorktown pool this morning.

(b)(5)

(b)(5)

Phil

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To: Groom, Molly M; Loneyan, Bryan K; Busch, Philip B; Whitney, Ronald W
Subject: RE: Follow up thoughts on litigation

Will do.

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To: Loneyan, Bryan K; Zengotitabengoa, Colleen R; Busch, Philip B; Whitney, Ronald W
Subject: RE: Follow up thoughts on litigation

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To: Zengotitabengoa, Colleen R; Groom, Molly M; Busch, Philip B; Whitney, Ronald W
Subject: RE: Follow up thoughts on litigation

(b)(5)

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To: Zengotitabengoa, Colleen R; Groom, Molly M; Busch, Philip B; Whitney, Ronald W
Subject: RE: Follow up thoughts on litigation

Yes, discussions with DOJ folks would be mutually beneficial:

[REDACTED]

From: Zengotitabengoa, Colleen R
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To: Groom, Molly M; Lonegan, Bryan K; Busch, Philip B; Whitney, Ronald W
Subject: RE: Follow up thoughts on litigation

Does Meg want us to join discussion with DOJ establishment clause expert? Would be good if we can.

From: Groom, Molly M
Sent: Sunday, February 05, 2017 8:52:15 AM
To: Zengotitabengoa, Colleen R; Lonegan, Bryan K; Busch, Philip B; Whitney, Ronald W
Subject: FW: Follow up thoughts on litigation

Colleen/Bryan/Ron-

(b)(5)

Can you all dig deeper on this issue and continue the discussions with DOS. Meg P. wants to have discussion with DOJ establishment expert at that seems like good idea. [REDACTED]

[REDACTED] Let's figure it out.

From: Strack, Barbara L
Sent: Sunday, February 05, 2017 8:44:37 AM
To: Groom, Molly M; Ruppel, Joanna; Stone, Mary M; Busch, Philip B
Subject: Follow up thoughts on litigation

All -

I wanted to follow up w/you on some issues related to yesterday's litigation call, with the understanding that this communication is protected by attorney/client privilege. In particular, I want to focus on the "religious minority" language.

(b)(5)

Wanted to share this thinking and bring Joanna and MM into the loop before I leave for vacation later today,
Barbara

Shirk, Georgette L

From: Schwartz, Claudia R
Sent: Monday, February 06, 2017 3:54 PM
To: Groom, Molly M
Cc: Zengotitabengoa, Colleen R; Whitney, Ronald W
Subject: RE: TRIG points for PCC

Molly –

(b)(5)

Below are some thoughts on litigation risks on revocation/rescission per our brief conversation. This chain below also includes some correspondence between Brandon and Joanna about tomorrow's Transborder PCC meeting.

[REDACTED]

Let me know if anything else would be helpful,
Claudia

(b)(5)

Claudia Schwartz, Associate Counsel
Office of the Chief Counsel, Refugee and Asylum Law Division
U.S. Citizenship and Immigration Services
Department of Homeland Security

[REDACTED]

(b)(6)

From: Ruppel, Joanna
Sent: Monday, February 06, 2017 4:00 PM
To: Prelogar, Brandon B
Cc: Sohrakoff, Karen A; Schwartz, Claudia R; Anderson, Kathryn E
Subject: RE: TRIG points for PCC

Tremendously helpful! Thank you. Do you have any sense of the DHS position here?

Also, with respect to your prior email, we should have our final RAIO task tracker done by tomorrow and I will share with you, then we can discuss how best to collaborate.

Joanna

Joanna Ruppel
Acting Associate Director
USCIS Refugee, Asylum and International Operations Directorate

[REDACTED]

(b)(6)

From: Prelogar, Brandon B
Sent: Monday, February 06, 2017 3:53 PM
To: Ruppel, Joanna
Cc: Sohrakoff, Karen A; Schwartz, Claudia R; Anderson, Kathryn E
Subject: TRIG points for PCC

Joanna,

I know Karen updated you on the work we've initiated with State relating to the TRIG directive in the EO. We were just discussing and thinking that for tomorrow's PCC it may be helpful to arm you with a couple points to help guide consensus on the appropriate course of action responsive to the directive, insofar as you have a chance to weigh in. On process, our thinking is that the most thoughtful result is likely to follow from bilateral collaboration between USCIS and State – i.e., the other USG entity with experience applying the exemptions to actual cases – followed by broader

interagency consultation based on what is hopefully a joint State-DHS (i.e., USCIS) analysis and recommendation. In the event that there is a call for a WH-driven process, our hope is that (1) Multilat leads it, as that directorate traditionally has with respect to TRIG, and (2) some time is permitted to allow the State-USCIS collaboration to take place first. I'm touching base with Sarah Cross (Ronnie's successor) tomorrow and plan to advocate the same with her. Let me know if you want to discuss or think a different course makes sense, though.

Here are TPs that briefly highlight our work and suggest a path forward:

- In response to EO Section 6, which requires considering rescission of existing exercises of authority for TRIG exemptions, DHS and State have begun working on a joint review process to assess the value of the exercises of authority. The review process will take into account factors such as their utility in adjudications, national security implications, and foreign policy considerations. The aim of this work is to arrive at a joint, evidence-based, working-level analysis responsive to Section 6's directive. We would then share this with DOJ for consultation, as set out in the EO, with the aim of arriving at a consensus recommendation for our departments' respective leadership.
- *[If asked for an estimate of how long it would take us to produce the analysis]:* For USCIS' part, if State agrees, we think we could have something preliminarily developed at the working-level in 2-3 weeks.

Hope that helps, and good luck tomorrow!

Brandon Prelogar
Chief, International and Humanitarian Affairs Division
Department of Homeland Security/U.S. Citizenship and Immigration Services
Office of Policy and Strategy

(b)(6)

Shirk, Georgette L

From: Elder, Phillip D
Sent: Tuesday, February 07, 2017 2:52 PM
To: Whitney, Ronald W; Zengotitabengoa, Colleen R; Hammill, Hunter A
Subject: RE: URGENT TIME SENSITIVE: Proposed Language for CAM parolees

I don't know, but we may want to prepare for that possibility. Meanwhile, we still need to decide on how we will communicate termination of the CAM program.

From: Whitney, Ronald W
Sent: Tuesday, February 07, 2017 3:34 PM
To: Elder, Phillip D; Zengotitabengoa, Colleen R; Hammill, Hunter A
Subject: RE: URGENT TIME SENSITIVE: Proposed Language for CAM parolees

Have we conveyed our comments? Presumably, this won't be posted unless Section 5(a) of the EO is put back in place?

Ron Whitney
Deputy Chief, Refugee and Asylum Law Division
USCIS, Office of the Chief Counsel

[REDACTED] (b)(6)

From: Elder, Phillip D
Sent: Tuesday, February 07, 2017 6:13 AM
To: Zengotitabengoa, Colleen R; Hammill, Hunter A; Whitney, Ronald W
Subject: RE: URGENT TIME SENSITIVE: Proposed Language for CAM parolees

(b)(5)

Okay. I don't have any major concerns with Joanna's draft below [REDACTED]
[REDACTED]

From: Zengotitabengoa, Colleen R
Sent: Tuesday, February 07, 2017 9:02 AM
To: Hammill, Hunter A; Elder, Phillip D; Whitney, Ronald W
Subject: RE: URGENT TIME SENSITIVE: Proposed Language for CAM parolees

Nothing went out, as far as I know. IO is looking for this language today, since they got permission for the parolees to travel this week, but looks like it's turned off after this week. Though we don't have confirmation of that yet.

From: Hammill, Hunter A
Sent: Tuesday, February 07, 2017 9:01 AM
To: Elder, Phillip D; Zengotitabengoa, Colleen R; Whitney, Ronald W
Subject: RE: URGENT TIME SENSITIVE: Proposed Language for CAM parolees

I didn't see anything actually go out, and our website looks like it's not updated.

From: Elder, Phillip D
Sent: Tuesday, February 07, 2017 8:32:52 AM

To: Hammill, Hunter A; Zengotitabengoa, Colleen R; Whitney, Ronald W
Subject: RE: URGENT TIME SENSITIVE: Proposed Language for CAM parolees

Did we issue anything on this?

From: Hammill, Hunter A
Sent: Friday, February 03, 2017 11:56 AM
To: Elder, Phillip D
Subject: FW: URGENT TIME SENSITIVE: Proposed Language for CAM parolees

Can you look at this too?

From: Groom, Molly M
Sent: Friday, February 03, 2017 11:53 AM
To: Hammill, Hunter A; Whitney, Ronald W; Zengotitabengoa, Colleen R
Subject: RE: URGENT TIME SENSITIVE: Proposed Language for CAM parolees

Oh yes—he was just here—I'm going too fast!

From: Hammill, Hunter A
Sent: Friday, February 03, 2017 11:50 AM
To: Groom, Molly M; Whitney, Ronald W; Zengotitabengoa, Colleen R
Subject: RE: URGENT TIME SENSITIVE: Proposed Language for CAM parolees

Yes, I think it leaves open the question of winding down and concerns related to that on pipeline cases. Do you want me to run it be Phillip as well?

From: Groom, Molly M
Sent: Friday, February 03, 2017 11:42 AM
To: Hammill, Hunter A; Whitney, Ronald W; Zengotitabengoa, Colleen R
Subject: RE: URGENT TIME SENSITIVE: Proposed Language for CAM parolees

Yes! You ok with suspension language?

From: Hammill, Hunter A
Sent: Friday, February 03, 2017 11:42 AM
To: Groom, Molly M; Whitney, Ronald W; Zengotitabengoa, Colleen R
Subject: RE: URGENT TIME SENSITIVE: Proposed Language for CAM parolees

(b)(5)

From: Groom, Molly M
Sent: Friday, February 03, 2017 11:35 AM
To: Whitney, Ronald W; Zengotitabengoa, Colleen R; Hammill, Hunter A
Subject: FW: URGENT TIME SENSITIVE: Proposed Language for CAM parolees
Importance: High

Are we ok with the language—suspending parole? I think that accurately reflects what they are doing but any legal vulnerabilities?

From: Ruppel, Joanna
Sent: Friday, February 03, 2017 11:33 AM
To: Scialabba, Lori L; Renaud, Tracy L
Cc: Walters, Jessica S; Farnam, Julie E; Young, Todd P; Nicholson, Maura J; Benedict, Deborah L; Strack, Barbara L; Stone, Mary M; Chiorazzi, Anne; Groom, Molly M; Zengotitabengoa, Colleen R
Subject: URGENT TIME SENSITIVE: Proposed Language for CAM parolees
Importance: High

Here is our proposed language, based on what we understand the current thinking to be. Is this your understanding of the decision and can we message this as noted below? We have people scheduled to travel on Monday. IOM has booked and the beneficiaries have paid for their travel. Please note that approximately 190 people have booked travel. Of those, only one individual would be traveling with a refugee family member. [note, our numbers are from IOM, so we may be off a bit, but this is close]

SUSPENSION OF TRAVEL FOR INDIVIDUALS GRANTED PAROLE UNDER THE CENTRAL AMERICAN MINORS REFUGEE/PAROLE PROGRAM (CAM)

On January 27, 2017, President Donald J. Trump signed an Executive Order, "Protecting the Nation From Terrorist Entry into the United States" that called for an immediate suspension of the U.S. Refugee Admissions Program (USRAP) for 120 days. In light of this temporary suspension, USCIS will also be pausing travel to the United States for all individuals granted parole under the Central American Minors Refugee/Parole Program. USCIS will act as follows:

- During this suspension, an applicant whose parole request has been approved by USCIS will be permitted to travel with any refugee family member who is permitted to travel pursuant to an exemption.
- The travel for all other individuals who were granted parole by USCIS under this program will be suspended until the U.S. Refugee Admission Program resumes for this population.

Joanna Ruppel
Acting Associate Director
USCIS Refugee, Asylum and International Operations Directorate

 (b)(6)